

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

REMARKS

INTERVIEW SUMMARY

The Applicants thank the Examiner for extending the courtesy of granting an after-final telephone interview with the Applicants' representative on very short notice.

As a summary of the interview, the parties discussed an unofficial submission of the amendments and remarks herein. The Applicants' representative pointed out that the amendments to the independent claims incorporate subject matter previously recited in dependent claims. The Applicants' representative also pointed out the independent claims as amended are believed to be allowable. The Examiner indicated that an updated search will be necessary.

STATUS OF CLAIMS

Claims 1-33 are pending. Claims 1, 8, 10, 12, 13, 16, 22, and 31 are amended by this response. Claims 9, 23, and 32 are cancelled. No Claims are added.

Claims 8, 22 and 31 are amended by this response to improve readability and to agree with the amendments to Claims 1, 10, and 12, respectively. The amendments introduced therein are unrelated to patentability.

Claims 1, 10, 12, 13, and 16 are amended by adding essentially the following two steps:

creating and storing a single script file comprising statements in a scripting language, the statements providing instructions for obtaining information about a state of a particular network device and instructions for changing the state of the particular network device;

and

Docket No.: 50325-0539

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

associating the submit button on the form with the single script file
regardless of which one of the first submit method and the second
submit method is associated with the form.

Support for the second step is found at least in the original Claim 9. Support for the first step is found in at least the original Claims 1 and 8, and in the Application at page 21, lines 7-12 which describes that a file stores a set of ASP (platform-dependent script language) instructions intended for providing both getting and setting network device properties. Further, the ACTION attribute (which is associated with the submit button on the form) of the forms for getting and setting network properties identifies the same Web resource (i.e. script file) regardless of whether the operation is getting or setting network device properties.

The amendments essentially incorporate the subject matter of original Claim 8 and original Claim 9. For this reason, the current amendments do not change the scope of the claims as previously presented and do not require an additional search to be performed. Furthermore, as amended, independent Claims 1, 10, 12, 13, and 16 are allowable over the prior art of record, and are therefore in condition for allowance.

L REJECTIONS BASED ON 35 U.S.C. §103(a)

The Office Action rejects claims 1-33 under 35 U.S.C. §103(a) as allegedly unpatentable over Carcerano et al. (U.S. Patent No. 6,308,205) ("CARCERANO") in view of Garvey et al. (U.S. Patent No. 5,774,667) ("GARVEY"). These rejections are respectfully traversed.

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

A. Independent Claim 1

Neither CERCERANO nor GARVEY discloses, teaches or suggests either of the two steps that have been added by amendment. Specifically, neither CERCERANO nor GARVEY discloses that a single script file is associated with a form, wherein the single script file handles both getting and setting network device properties. Neither CERCERANO nor GARVEY discloses, teaches, or suggests that, regardless of whether the METHOD associated with the form is GET or POST (or any other supported method), a single script file is associated with the submit button on the form to perform the getting and setting the network device properties. For this reason, Claim 1 is non-obvious under 35 U.S.C. § 103(a) over CERCERANO in view of GARVEY.

B. There is no suggestion or motivation to combine CERCERANO and GARVEY because CERCERANO teaches away from such combination

The Office Action states in page 15 that CERCERANO fails to disclose the step of Claim 1, that provides "in response to activation of the submit button in the client process, executing routines to operate on the particular network device based on a submit method associated with the form." The Office Action asserts, however, that the above element is disclosed in GARVEY. The Office Action further asserts that the motivation to combine GARVEY and CERCERANO to allow the system in CERCERANO to operate directly on the network device is to "allow many administrators to view and update the configuration of the network devices without generating excessive network traffic that can overburden those devices as taught by Cercerano." (Office Action, page 15.)

Docket No.: 50325-0539

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

This is incorrect. CERCERANO teaches that a network management system is interposed between the administrators (or other users) and the network devices. (Col. 2, lines 12-13.) When the network management system receives a request from a web browser for information about a network device, it generates a response based on a database with information about network devices, rather than on information obtained directly from the network device. (Col. 2, lines 14-21.) When the network management system receives a request from a web browser to change the configuration of a network device, it updates the database, and after that the network management system, not the web browser, updates the network device based on the information stored in the database. (Col. 2, lines 21-26.)

Most significantly, CERCERANO proceeds by stating:

[t]his arrangement is more efficient than conventional systems because the network devices are insulated from interacting directly with each user. Instead, the network devices only interact with the management system, which in turn handles all communication with the users. Thus, the network devices are not overburdened by having to communicate with many different users.

(Col. 2, lines 27-34, emphasis added.) This paragraph, when taken as a whole, unambiguously teaches that CERCERANO provides efficient communications with the network devices through NOT contacting the network devices directly. CERCERANO not only does not suggest that network devices may be managed directly by the client (a Web browser), but teaches that network devices must NOT be managed directly by the client. In other words, CERCERANO teaches away from Claim 1.

Thus CERCERANO does not provide the requisite motivation or suggestion to combine it with GARVEY.

Docket No.: 50325-0539

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

C. Combining CARCERANO and GARVEY would change the principle of operation of CARCERANO and would render the CARCERANO system inoperable

A combination of references under 35 U.S.C. § 103 that change a principle of operation of a reference or would render it inoperable cannot support a 35 U.S.C. § 103 rejection. *See In re Ratti*, 270 F.2d 810, 813, 123 USPQ 349, 352 (CCPA 1959); *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984); MPEP §2143.01.

CARCERANO explicitly requires that all changes to the configuration of a network device are first recorded in a database and then the network management system makes the actual update to the network device based on the information stored in the database. Further, all information about a network device is received by a client not from the network device directly, but rather from the database.

If the CARCERANO system is modified according to GARVEY, then a client, and not the network management system, will update the configuration of the network device, and the client will receive information about a network device directly from that device. In other words, the network management system described as essential in CARCERANO will not be needed at all if the system is modified according to the teachings of GARVEY. Thus, combining CARCERANO with GARVEY would fundamentally change the principle of operation of CARCERANO.

Furthermore, a simple example shows that combining CARCERANO and GARVEY will render CARCERANO inoperable. Consider the following events taking place in the CARCERANO system as modified by GARVEY:

Docket No.: 50325-0539

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

1. A first web browser requests information about parameter A of network device X. The value of the parameter is read from the database and is returned to the web browser with the value "10."
2. Next, the first web browser updates the value of parameter A to "15" directly on the network device X, as per GARVEY.
3. Immediately after the previous step, and before the CARCERANO system had a chance to update the database with the new value of parameter A of network device X, a second web browser requests information about parameter A. The information is read from the database again, and since the database has not yet been updated, the value of parameter A returned to the second browser is "10", which is clearly the wrong value (the correct value is "15").

Thus, the above example clearly shows that modifying CARCERANO according to GARVEY will render CARCERANO inoperable. If a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then there is no suggestion or motivation to make the proposed modification. *In re Gordon*, 733 F.2d 900, 902, 221 USPQ 1125, 1127 (Fed. Cir. 1984); MPEP §2143.01.

D. INDEPENDENT CLAIMS 10, 12, 13, AND 16

Independent Claims 10, 12, 13, and 16, as amended, include the same features recited above with respect to Claim 1. For this reason, independent Claims 10, 12, 13, and 16 are non-obvious under 35 U.S.C. § 103(a) over CARCERANO in view of GARVEY for the same reasons recited above with respect to Claim 1.

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

E. DEPENDENT CLAIMS 2-8, 11, 14-22, 24-31, and 33

Claims 2-8, 11, 14-22, 24-31, and 33 are dependent upon one of Claims 1, 10, 12, 13, and 16, and thus include each and every feature of their associated independent claims. Each of Claims 2-8, 11, 14-22, 24-31, and 33 is therefore allowable for the reasons given above for Claims 1, 10, 12, 13, and 16. In addition, each of Claims 2-8, 11, 14-22, 24-31, and 33 introduces one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time. Therefore, it is respectfully submitted that Claims 2-8, 11, 14-22, 24-31, and 33 are allowable for the reasons given above with respect to Claims 1, 10, 12, 13, and 16.

Docket No.: 50325-0539

CHUNGUANG LIU, Ser. No. 09/775,862, Examiner A. Patel

II. CONCLUSION

For the reasons set forth above, all pending claims are patentable over the art of record. Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

No extension fee is believed to be due. However, to the extent necessary, Applicants petition for an extension of time under 37 C.F.R. § 1.136. The Commissioner is authorized to charge any fee that may be due in relation to this application to our Deposit Account No. 50-1302.

Respectfully submitted,

HICKMAN PALERMO TRUONG & BECKER LLP

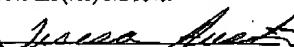
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CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office Fax No. (703) 872-9040 and (703) 872-9040.

On: November 1, 2004 By 

Docket No.: 50325-0539